

## UNITED STATES DISTRICT COURT

## DISTRICT OF OREGON

REC'D '04 SEP 21 15:53 USDC-ORP

Smith & Nephew, Inc. and John O.  
Hayhurst, M.D.

Plaintiff(s),

VS.

Civil Case No: CV04 0029 ST

Arthrex, Inc.

**APPLICATION FOR SPECIAL  
ADMISSION - *PRO HAC VICE***

Defendant(s).

As local counsel in the above captioned case and in accordance with LR 83.3, I am recommending the following attorney for admission *pro hac vice* and certify that the information contained in this application is true.

1. **Pro Hac Vice Attorney Certification:** I have read and understand the requirements of LR 83.3, and certify that the following information is correct:

(A) **Personal Data:**

- (1) Name: Rodger D. Young
- (2) Firm or Business Affiliation: Young & Susser, P.C
- (3) Mailing Address, City, State and Zip Code: 26200 American Drive, Suite 305  
Southfield, MI 48034
- (4) Business E-mail Address: young@youngpc.com
- (5) Business Telephone Number: 248.353.8620
- (6) Fax Telephone Number: 248.353.6559

(B) **Bar Admissions Information:** I certify that I am now a member in good standing of the following State and/or Federal Bar Association:

- (1) State Bar Admissions: Name of court; admissions standing, date of admission, and BAR ID number. Michigan, good standing, 6/5/73 P22652
- (2) Federal Bar Admissions: Name of court; admissions standing, date of admission, and BAR ID number.

US. Supreme Court, good standing, 2/20/96  
US Court of Appeals, 1st Cir., good standing, 1991  
US Court of Appeals, 2nd Cir., good standing, 6/98  
US Court of Appeals, 6th Cir., good standing, 9/12/86  
US Court of Appeals, 9th Cir., good standing, 5/24/96  
US Court of Appeals, Federal Cir., good standing, 2/27/01  
Eastern District of MI, good standing, 6/5/73  
Northern District of Illinois, good standing, 3/22/00

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(C) **Certification of Disciplinary Proceedings:**

X I certify that I am not now, nor have I ever been subject to any disciplinary action by any state or federal bar association or administrative agency; or

— I certify that I am now, or have been subject to disciplinary action from a state or federal bar association or administrative agency (See attached letter of explanation).

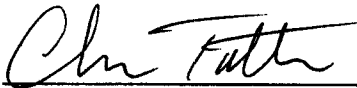
(D) **Certification of Professional Liability Insurance:** I have a current professional liability insurance policy that will apply in this case, and that the policy will remain in effect during the course of these proceedings.

(E) **Representation Statement:** I am representing the following party(s) in this case:  
Defendant, Arthrex, Inc.

(F) **CM/ECF Registration:** Concurrent with approval of this *pro hac vice* application, I acknowledge that I will automatically be registered to access the court's Case Management/Electronic Case File system. (See [ecf.ord.uscourts.gov](http://ecf.ord.uscourts.gov)). I also consent to electronic service pursuant to Fed. R. Civ. P 5(b)(2)(D) and LR 100.13(a).

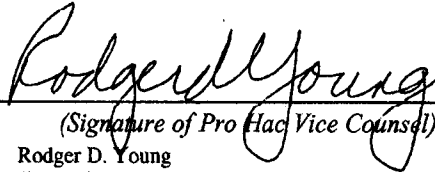
2. **Certification of Associated Local Counsel:** I certify that I am member in good standing of the Bar of this Court, that I have read and understand the requirements of LR 83.3(d), and that I will serve as designated local counsel in this particular case.

DATED this 21<sup>st</sup> day of September, 2004.



(Signature of Local Counsel)

Christopher S. Tuttle  
Kolisch Hartwell, P.C.  
520 S.W. Yamhill, Ste. 200  
Portland, OR 97204  
tuttle@khpatent.com  
503.224.6655  
503.295.6679



(Signature of Pro Hac Vice Counsel)

Rodger D. Young  
Young & Susser, P.C.  
26200 American Drive, Ste. 305  
Southfield, MI 48034  
susser@youngpc.com  
248.353.8620  
248.353.6559

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**COURT ACTION**

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✓ Application approved subject to payment of fees  
       Application approved and fee waived  
       Application denied

Sept 22, 2002  
Date

James M. Dineen  
United States District Judge

cc: Counsel of Record

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing APPLICATION FOR SPECIAL ADMISSION – *PRO HAC VICE* (Rodger D. Young) was served on Plaintiffs by service on its attorneys:

Mark J. Hebert, Esq.  
Fish & Richardson  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Facsimile: (617) 542-8906

Julianne Ross Davis, Esq.  
Chernoff, Vilhauer, McClung & Stenzel, LLP  
1600 ODS Tower  
601 S.W. Second Avenue  
Portland, Oregon 97204  
Facsimile: (503) 228-4373

by first class mail, this 21<sup>st</sup> day of September, 2004.

A handwritten signature in black ink, appearing to read 'Chris Tuttle', written over a horizontal line.

Christopher S. Tuttle, OSB No. 99385  
Attorney for Defendant